

REMARKS

Claims 5-10, 12, 13 and 15-27 are pending in the present application. Applicant notes with appreciation the allowance of claims 5, 22, 24 and 26. With entry of this Amendment, Applicant cancels claims 6-21 without prejudice. Reexamination and reconsideration of the claims are respectfully requested.

In view of the Applicant's cancellation of claims 6-21 without prejudice, the objection of claims 6, 12, 15 and 21 and the rejection of claims 6-21 are now moot. Only claims 23, 25 and 27 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Zimmerman (US 5287789). The rejection is respectfully traversed.

The present invention in one embodiment extracts one or more characteristics of a sound signal and displays the extracted characteristics. For example, the embodiment can display the upper and lower pitch limits extracted from the sound signal. Claim 23 recites a "characteristic extraction section that extracts at least one of upper and lower pitch limits of a sound signal as it received by said input section" and "a display section that visually displays the pitch limit characteristics." Claims 25 and 27 have similar recitations.

Zimmerman is directed to a musical instruction apparatus and, at Fig. 12 and Col. 20, lines 7-23, discloses an instructive exercise. A singer must confine his or her voice (plotted as 466) within a pitch maze 465 having a width 470. A score 467 is calculated by adding points when the student's pitch remains within the maze width as in 468 and subtracting points when the student's pitch goes outside of the maze width as in 469. Zimmerman notes that maze width 470 can be adjusted to increase the difficulty of the exercise. The Examiner contends that the maze width 470 corresponds to pitch limits and Fig. 12 illustrates displaying pitch limits. However, Zimmerman fails to disclose that the maze width 470 is based on extracting pitch limits from a sound signal. To the contrary, it appears that the maze width 470 is set before the exercise begins, given that the width can be adjusted to increase or decrease the difficulty of the exercise.

Accordingly, Applicants respectfully submit that claims 23, 25 and 27 are not anticipated by Zimmerman.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If the Examiner feels that it would advance the prosecution of the application, it is respectfully requested that the Examiner telephone the undersigned attorney.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 393032009400. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: December 31, 2003

Respectfully submitted,

By 

Mehran Arjomand

Registration No.: 48,231

MORRISON & FOERSTER LLP

555 West Fifth Street, Suite 3500

Los Angeles, California 90013

(213) 892-5200

Attorneys for Applicant